



AP12 Rec'd PCT/PTO 26 SEP 2007

PATENT

Attorney Docket No. 03447.0018

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Sylvie VAN DER WERF et al.) Group Art Unit: 1761
)
Application No.: 10/581,354) Examiner: Not assigned
)
Filed: April 12, 2007)
) Confirmation No.: 2044
For: [National Stage of International)
Application No.)
PCT/FR2004/003105 under 35)
U.S.C. 371, for] USE OF)
PROTEINS AND PEPTIDES)
ENCODED BY THE GENOME)
OF A NOVEL SARS-)
ASSOCIATED CORONAVIRUS)
STRAIN)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR CORRECTED FILING RECEIPT

We are forwarding herewith a copy of a Filing Receipt for the above-identified patent application. The error(s) are that two of the Applicants were omitted from the list of Applicants. These errors are listed below [and are shown in ink on the attached copy.]

After "Frederick Kunst" please add "Benoit Callendret, Nanterre, FRANCE."

After "Jean-Michel BETTON" please add "Valerie Lorin, Montrouge, FRANCE."

Applicant has attached a courtesy copy of the executed Declaration and Power of Attorney filed April 12, 2007.

It is respectfully requested that a corrected Filing Receipt be issued as soon as possible.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 26, 2007

By: 

Kenneth J. Meyers

Reg. No. 25,146

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Fax: 202-408-4400

E-mail: ken.meyers@finnegan.com

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: My residence, post office address and citizenship are stated below next to my name; that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled :

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I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith : **CUSTOMER NUMBER 22852**

Please address all correspondence to CUSTOMER No. 22852 FINNEGAN, HENDERSON, FARABOW, GARRETT AND DUNNER, 901 New York Avenue, NW-WASHINGTON D.C. 20001-4413, Telephone No. (202)408-4000.

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Listing of Inventors Continued on Page 2 hereof. ☒ Yes ☐ No

Full Name of Sole or First Assignor VAN DER WERF Sylvie	Assignor's Signature	Date
Address 112 allée de la Pointe Genète 91190 GIF-SUR-YVETTE France		Citizenship French
Full Name of Second Assignor: ESCRIOU Nicolas	Assignor's Signature	Date
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Full Name of Ninth Assignor: GERBAUD Sylvie	Assignor's Signature <i>S. Gerbaud</i>	Date 05/09/2006
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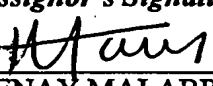
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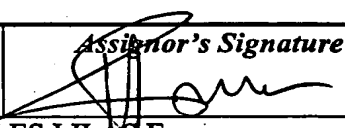
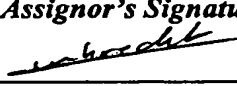
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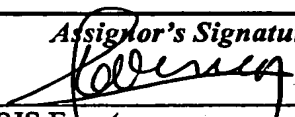
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Full Name of Seventh Assignor: BETTON Jean-Michel	Assignor's Signature	Date
Address : 5 rue Rémy Dumoncel 75014 PARIS France		Citizenship French
Full Name of Eighth Assignor: LORIN Valérie	Assignor's Signature	Date
Address : 66 avenue de la Marne 92120 MONTROUGE France		Citizenship French
Full Name of Ninth Assignor: GERBAUD Sylvie	Assignor's Signature	Date
Address : 56, rue Garibaldi 94100 SAINT-MAUR-DES-FOSSES France		Citizenship French
Full Name of Tenth Assignor: BURGUIERE Ana Maria	Assignor's Signature	Date
Address : 95 avenue Victor Hugo 92140 CLAMART France		Citizenship French
Full Name of Eleventh Assignor: AZEBI Saliha	Assignor's Signature	Date
Address : 48 rue Germain Desfresnes - Appartement 5123 94400 VITRY-SUR-SEINE France		Citizenship French
Full Name of Twelfth Assignor: CHARNEAU Pierre	Assignor's Signature 	Date 27/06/06
Address : 6 bis rue des Ecoles 75005 PARIS France		Citizenship French
Full Name of thirteenth Assignor: TANGY Frédéric	Assignor's Signature	Date
Address : 60 rue Garde Chasse 93260 LES LILAS France		Citizenship French
Full Name of Fourteenth Assignor: COMBREDET Chantal	Assignor's Signature	Date
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Full Name of Fifteenth Assignor: DELAGNEAU Jean-François	Assignor's Signature	Date
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Full Name of Sixteenth Assignor: MARTIN Monique	Assignor's Signature	Date
Address : 26 avenue Jean Jaurès 92290 CHATENAY MALABRY France		Citizenship French

(A) F276/111

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: My residence, post office address and citizenship are stated below next to my name; that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Use of proteins and peptides coded by the genome of a novel strain of SARS-associated coronavirus

the specification of which is ☐ attached and/or ☒ was filed on December 2, 2004..as Application Number No. PCT/FR2004/003105 and was amended on (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, design or inventor's certificate listed below and have also identified any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE OF FILING	PRIORITY CLAIMED UNDER 35 U.S.C. 119
FR	03 14152	December 2, 2003	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
FR	03 14151	December 2, 2003	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of the Title 35, United States Code § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application :


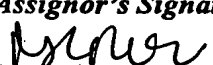
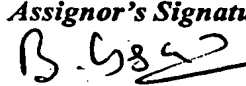

APPLICATION NUMBER	DATE OF FILING	STATUS (Patented, Pending, Abandoned)

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith : **CUSTOMER NUMBER 22852**

Please address all correspondence to CUSTOMER No. 22852 FINNEGAN, HENDERSON, FARABOW, GARRETT AND DUNNER, 901 New York Avenue, NW-WASHINGTON D.C. 20001-4413, Telephone No. (202)408-4000.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statement may jeopardize the validity of the application or any patent issued thereon.

Listing of Inventors Continued on Page 2 hereof. ☒ Yes ☐ No

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Full Name of Third Assignor: CRESCENZO-CHAIGNE Bernadette	Assignor's Signature 	Date 23/06/2006
Address : 9 rue des Gravières 92200 NEUILLY-SUR-SEINE France		Citizenship French
Full Name of Fourth Assignor: MANUGUERRA Jean-Claude	Assignor's Signature 	Date 21.07/2006
Address : 16-18 Place de la Chapelle 75018 PARIS France		Citizenship French

Full Name of Fifth Assignor: KUNST Frederick	Assignor's Signature	Date
Address : INSTITUT PASTEUR 25-28 rue du Docteur Roux 75724 Cedex 15 Paris France		Citizenship French
Full Name of Sixth Assignor: CALLENDRET Benoît	Assignor's Signature	Date 26/06/06
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Full Name of Seventh Assignor: BETTON Jean-Michel	Assignor's Signature	Date
Address : 5 rue Rémy Dumoncel 75014 PARIS France		Citizenship French
Full Name of Eighth Assignor: LORIN Valérie	Assignor's Signature	Date 23/06/06
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b.c.
26/06/06

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Listing of Inventors Continued on Page 2 hereof. ☒ Yes ☐ No

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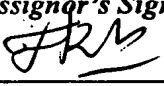
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Listing of Inventors Continued on Page 2 hereof. ☒ Yes ☐ No

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Full Name of Fifth Assignor: KUNST Frederick	Assignor's Signature 	Date 29/06/2006
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29/06/
2006
Frederick



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03447-0018
KTM/USD

APPL NO.	FILING OR 371(c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLMS	IND CLMS
10/581,354	04/12/2007	1761	5440	03447.0018	60	3

CONFIRMATION NO. 2044

FILING RECEIPT



OC000000025502094

22852
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
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RECEIVED

AUG 30 2007

Finnegan, Henderson, Farabow,
Garrett & Dunner, L.L.P.

Date Mailed: 08/27/2007

Receipt is acknowledged of this nonprovisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Sylvie Van Der Werf, Gif-Sur-Yvette, FRANCE;
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→ insert "Benoit Callendret,
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→ insert "Valerie Lorin,
Montrouge, FRANCE"

Power of Attorney: The patent practitioners associated with Customer Number 22852.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/FR04/03105 12/02/2004

Foreign Applications

FRANCE 0314152 12/02/2003
FRANCE 0314151 12/02/2003

[Handwritten signature]



If Required, Foreign Filing License Granted: 09/22/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/581,354**

Projected Publication Date: 11/29/2007

Non-Publication Request: No

Early Publication Request: No

Title

Use Of Proteins And Peptides Encoded By The Genome Of A Novel Sars-Associated Coronavirus Strain

Preliminary Class

426

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

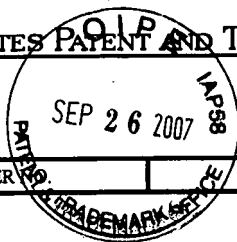
The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



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U.S. APPLICATION NUMBER	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/581,354	Sylvie Van Der Werf	03447.0018

INTERNATIONAL APPLICATION NO.

PC/T/FR04/03105

LA. FILING DATE	PRIORITY DATE
12/02/2004	12/02/2003

22852
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CONFIRMATION NO. 2044

371 ACCEPTANCE LETTER



OC000000025502095

Date Mailed: 08/27/2007

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>04/12/2007</u>	<u>04/12/2007</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 06/02/2006
- Copy of the International Search Report filed on 06/02/2006
- Information Disclosure Statements filed on 04/12/2007
- Biochemical Sequence Diskette filed on 06/02/2006
- Oath or Declaration filed on 04/12/2007
- Biochemical Sequence Listing filed on 06/02/2006
- U.S. Basic National Fees filed on 06/02/2006
- Priority Documents filed on 06/02/2006
- Specification filed on 06/02/2006
- Claims filed on 06/02/2006
- Abstracts filed on 06/02/2006

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- Drawings filed on 06/02/2006
- Paper nucleotide sequence listings filed on 06/02/2006

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

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